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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6184 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

THAKARSHI MERUBHAI

Versus

STATE OF GUJARAT

Appearance:

s MR MM PARMAR for MR PH PATHAK for Petitioners

MR SP HASURKAR with MS HANSA PUNANI for Respondent No. 1, 3

MR JM BAROT for Respondent No. 2

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 18/02/2000

ORAL JUDGEMENT

1. This court on 13-9-1988 passed the following order:

At the request of Mr. Pathak leave to add Commissioner of Labour as respondent No.3 and leave to amend the prayer clause.

Notice to respondents returnable on 27-9-1988. Status quo with regard to service conditions of the petitioner to be maintained till further orders. Direct service.

2. Then on 28th November, 1991, the matter was

admitted and the court passed the following order:

Rule. Interim relief to continue subject to clarification that if and when any necessity for termination arises, it shall be done in accordance with law.

3. The petitioner was appointed as daily wager in the year 1971 and for all these years, he is working with the respondent.

4. The respondent No.2 is directed to consider the case of the petitioner for regularisation and/or the benefits which are available to the daily wagers under the Government resolution dated 17th October, 1988. This exercise has to be undertaken and completed within a period of three months from the date of receipt of writ of this order. Till this exercise is completed, interim relief granted by this court shall continue. In case the matter is not decided in favour of the petitioner and any adverse order is passed against him, the same shall not be given effect to for 15 days and the same has to be a reasoned order and copy of the same be sent to the petitioner by registered post A.D.. In case of difficulty, liberty is granted to the petitioner for revival of this special civil application. Rule and special civil application stand disposed of accordingly with no order as to costs.

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zgs/-